Atty. Dkt. No. 029318-0968

RCEF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Simon McGurk et al.

Title:

GEL STABILIZED NANOPARTICULATE ACTIVE

AGENT COMPOSITIONS

Appl. No.:

10/659,706

Appl. Filing Date:

09/11/2003

Examiner:

Eric E. Silverman

Art Unit:

1615

Confirmation

4753

Number:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

- 1. Submission required under 37 C.F.R. §1.114: (check items that apply)
 - a. Previously submitted:

[]	Please consider the Affidavit(s)/Declaration(s) previously filed on but not					
	considered.					
[]	Please consider the arguments in the Appeal Brief or Reply previously filed on					
[]	Other					
b. Enclosed are:						
[X]	Amendment/Reply.					
[]	Affidavit(s)/Declaration(s).					
[]	Information Disclosure Statement.					
[]	Form PTO/SB/08 with copies of listed reference(s).					
[]	Other.					

Miscellaneous:

[] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of __ months.

The filing fee is calculated below:

	Claims as Amended		Previously Paid For	Exti Pres	ra Claims sent		Rate		Fee Totals
RCE Fee 1.17(e):		•					\$790.00	=	\$790.00
Total Claims:	49	-	48	= 1		x	\$50.00	=	\$50.00
Independents	2	-	3	= 0		x	\$200.00	=	\$0.00
First p	oresentation (of any	Multiple l	Depende	nt Claims:	+	\$360.00	=	\$0.00
					CLAIMS	FEE	TOTAL:	=	\$840.00

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$120.00	0	\$0.00
[] Extension for response filed within the second month:	\$450.00	_	\$0.00
[X] Extension for response filed within the third month:	\$1,020.00		\$1,020.00
[] Extension for response filed within the fourth month:	\$1,590.00		\$0.00
[] Extension for response filed within the fifth month:	\$2,160.00	_	\$0.00
EXTENSION FEE SU		\$1,020.00	
EXTENSION FEE ALREA		\$0.00	
EXTENSION F		\$1,020.00	
CLAIMS AND EXTENSION FE		\$1,860.00	
[] Small Entity Fees Apply (subtract 1/2)	2 of above):	_	\$0.00
[] Suspension of action requested under 37 C.F.R		\$0.00	
TC		\$1,860.00	

A credit card payment form in the amount of \$1,860.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

FOLEY & LARDNER LLP

Customer Number: 31049

Telephone:

(202) 672-5538

Facsimile:

(202) 672-5399

Michele M. Simkin

Attorney for Applicant

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